

By: Hernandez

H.B. No. 730

A BILL TO BE ENTITLED

AN ACT

relating to exempting certain homeless individuals from the payment of tuition and fees at public institutions of higher education.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter D, Chapter 54, Education Code, is amended by adding Section 54.3671 to read as follows:

Sec. 54.3671. EXEMPTIONS FOR HOMELESS INDIVIDUALS. (a) In this section, "homeless individual":

(1) means an individual who:

(A) lacks a fixed, regular, and adequate nighttime residence; or

(B) has a primary nighttime residence that is:

(i) a supervised publicly or privately operated shelter designed to provide temporary living accommodations, including welfare hotels, congregate shelters, and transitional housing for the mentally ill;

(ii) an institution that provides a temporary residence for individuals intended to be institutionalized; or

(iii) a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings; and

(2) does not include an individual who is imprisoned or otherwise detained in a correctional facility.

1 (b) Except as provided by Subsection (e), a homeless
2 individual is exempt from the payment of tuition and fees
3 authorized in this chapter, including tuition and fees charged by
4 an institution of higher education for a dual credit course or other
5 course for which a high school student may earn joint high school
6 and college credit, if the individual:

7 (1) submits to the institution of higher education, as
8 prescribed by Texas Higher Education Coordinating Board rule, a
9 notarized affidavit confirming the individual's status as a
10 homeless individual from:

11 (A) an employee of a homeless shelter or
12 transitional housing facility;

13 (B) an employee of an organization that provides
14 to homeless individuals or assists homeless individuals in
15 obtaining services such as health services, mental or behavioral
16 health services, substance abuse services, public assistance
17 services, or employment services;

18 (C) an attorney licensed to practice law in this
19 state;

20 (D) a peace officer who is an official homeless
21 liaison;

22 (E) an employee of a faith-based organization
23 that provides benefits or services to homeless individuals; or

24 (F) a counselor or administrator at a school
25 attended by the homeless individual;

26 (2) enrolls in an institution of higher education as
27 an undergraduate student or in a dual credit course or other course

1 for which a high school student may earn joint high school and
2 college credit not later than the individual's 25th birthday; and

3 (3) demonstrates financial need as determined by Texas
4 Higher Education Coordinating Board rule.

5 (c) A person may not charge a fee for providing or
6 notarizing the affidavit described by Subsection (b).

7 (d) An affidavit described by Subsection (b) may not be used
8 for an exemption under this section if the affidavit was signed more
9 than 60 days before the date the affidavit is submitted to an
10 institution of higher education under Subsection (b).

11 (e) A person is not eligible for an exemption under this
12 section if the person:

13 (1) has previously received an exemption under this
14 section for 10 semesters or summer sessions at any institution or
15 institutions of higher education;

16 (2) has received a baccalaureate degree; or

17 (3) is subject to the registration requirements of
18 Chapter 62, Code of Criminal Procedure.

19 SECTION 2. (a) Section 54.3671, Education Code, as added by
20 this Act, applies beginning with tuition and fees charged for the
21 2020 spring semester.

22 (b) The Texas Higher Education Coordinating Board shall
23 adopt rules to implement Section 54.3671, Education Code, as added
24 by this Act, as soon as practicable after the effective date of this
25 Act.

26 SECTION 3. This Act takes effect September 1, 2019.